

**ORDINANCE No. 14-2026**

**ROLL CALL**

| <b>VOTING</b>                                                      | <b>YES</b> | <b>NO</b> | <b>ABSENT</b> | <b>ABSTAIN</b> |
|--------------------------------------------------------------------|------------|-----------|---------------|----------------|
| <b>MIKE MENDENHALL</b><br><i>Mayor (votes only in case of tie)</i> |            |           |               |                |
| <b>STACY BECK</b><br><i>Councilmember</i>                          | X          |           |               |                |
| <b>JESSE CARDON</b><br><i>Councilmember</i>                        | X          |           |               |                |
| <b>SHANE MARSHALL</b><br><i>Councilmember</i>                      | X          |           |               |                |
| <b>KEVIN OYLER</b><br><i>Councilmember</i>                         | X          |           |               |                |
| <b>LANDON TOOKE</b><br><i>Councilmember</i>                        | X          |           |               |                |

I MOVE this ordinance be adopted: Councilman Shane Marshall

I SECOND the foregoing motion: Councilman Jesse Cardon

**ORDINANCE No. 14-2026**

**AN ORDINANCE AMENDING TITLE 15  
DETACHED ACCESSORY DWELLING UNITS**

WHEREAS Spanish Fork City has enacted Title 15 of the Spanish Fork Municipal Code ("Code") to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use;

WHEREAS amendments to the land use ordinances and other sections of the Code need to be made from time to time in order to remain compliant with state and federal

law, become more efficient, to keep standards in line with best construction and safety practices, and to promote commerce in the community;

WHEREAS the proposal has been referred to the Planning Commission for consideration in accordance with law;

WHEREAS the Planning Commission held a public hearing on August 5, 2026, wherein public comment was received; and

WHEREAS the proposal was presented to the Spanish Fork City Council on August 18, 2026, whereat the Council voted to approve the proposed amendment;

NOW THEREFORE, be ordained by the Spanish Fork City Council as follows:

**Section 1. Amendment of Code.** The Spanish Fork Municipal Code is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein. Only the sections of the Code set forth in the Exhibit A shall be amended. All other sections of the Code remain unchanged.

**Section 2. Effective Date.** This ordinance shall immediately take effect August 18, 2026, after publication or posting.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK, UTAH: August 18, 2026.

  
MIKE MENDENHALL, Mayor

Attest:

  
\_\_\_\_\_

TARA SILVER, City Recorder

SHELLEY HENDRICKSON, Deputy Recorder



AMENDMENT TO THE  
SPANISH FORK MUNICIPAL CODE

E. Accessory Dwelling Units (ADUs):

1. This sub-section is established to provide regulations for ADUs.

2. Requirements for Approval....

e. Properties with internal ADUs must provide at least three (3) off-street parking spaces, two (2) spaces for the primarily dwelling and one (1) space for the internal ADU. Properties with detached ADUs, where the detached ADU contains less than 650 square feet of floor area, must provide at least three (3) off-street parking spaces, two (2) spaces for the primarily dwelling and one (1) space for the detached ADU. Properties with detached ADUs, where the detached ADU contains 650 or more square feet of floor area, must provide at least four (4) off-street parking spaces, two (2) spaces for the primarily dwelling and two (2) spaces for the detached ADU. The parking spaces for the ADU may not be provided in a tandem arrangement and required parking spaces must meet the criteria provided in section §15.4.16.120.



TO: Mayor and Council

FROM: Dave Anderson, AICP

DATE: August 18, 2026

RE: Detached Accessory Dwelling Units

A change to Utah Code will take effect on October 1, 2026. Spanish Fork City is required to modify our zoning code to be consistent with the language in Utah Code. In all but one way, Spanish Fork's zoning code is already consistent with the new language in State law. The applicable section of State Code is attached to this correspondence.

Currently, Spanish Fork City requires properties with Detached Accessory Dwelling Units to have a total of four parking spaces. Incidentally, none of the required spaces can be provided in a tandem arrangement where spaces are located in front of, or behind, one another.

Here is an excerpt from Utah Code that relates to required parking:

(3) A land use regulation described in Subsection (1) may not:

.....

(b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger;

(c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet.....

The inconsistency with Spanish Fork Municipal Code and Utah Code is the amount of parking that is required for properties with Detached Accessory Dwelling Units that have less than 650 square feet of floor area. The following change to Spanish Fork City's zoning code is proposed to correct that inconsistency:

E. Accessory Dwelling Units (ADUs):

1. This sub-section is established to provide regulations for ADUs.

2. Requirements for Approval....

~~**e. The property must have a total of three (3) parking spaces for the primary single-family dwelling with an internal ADU and four (4) parking spaces for a primary single-family dwelling with an external or detached ADU which meet the criteria provided in section §15.4.16.120. i.e., two (2) parking spaces are required for the primary single-family dwelling and one (1) parking space for the internal ADU. The parking spaces for the ADU may not be provided in a tandem arrangement.**~~

**e. Properties with internal ADUs must provide at least three (3) off-street parking spaces, two (2) spaces for the primary dwelling and one (1) space for the internal ADU. Properties with detached ADUs, where the detached ADU contains less than 650 square feet of floor area, must provide at least**

**three (3) off-street parking spaces, two (2) spaces for the primarily dwelling and one (1) space for the detached ADU. Properties with detached ADUs, where the detached ADU contains 650 or more square feet of floor area, must provide at least four (4) off-street parking spaces, two (2) spaces for the primarily dwelling and two (2) spaces for the detached ADU. The parking spaces for the ADU may not be provided in a tandem arrangement and required parking spaces must meet the criteria provided in section §15.4.16.120.**

The Development Review Committee reviewed this proposal on July 29, 2026 and recommended that it be approved. The Planning Commission reviewed this proposal on August 5, 2026 and also recommended that it be approved.

Please let me know if you have any questions.

attachment: Utah Code 10-21-304  
proposed ordinance

**Effective 10/1/2026**

**10-21-304 Detached accessory dwelling units.**

- (1)
  - (a) A specified municipality shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel.
  - (b) This section does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is smaller than 11,000 square feet.
- (2) A land use regulation described in Subsection (1) shall:
  - (a) require that a detached accessory dwelling unit comply with all applicable building, health, and fire codes; and
  - (b) include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit subject to applicable:
    - (i) dwelling and accessory structure setback requirements; and
    - (ii) building, health, and fire codes.
- (3) A land use regulation described in Subsection (1) may not:
  - (a) require a conditional use permit for a detached accessory dwelling unit if the proposed detached accessory dwelling unit is located in a primarily residential zone;
  - (b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger;
  - (c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet; or
  - (d) include design standards for a detached accessory dwelling unit that conflict with Section 10-20-618.
- (4) A land use regulation described in Subsection (1) may:
  - (a) require a detached accessory dwelling unit to:
    - (i) conform to applicable land use regulations that regulate structure size, dimension, height, and maximum lot coverage;
    - (ii) conform to setback requirements, that may take into account proximity to property lines and other structures, easements, window orientation, massing, or other elements; and
    - (iii) be designed consistent with the design of the single-family dwelling;
  - (b) prohibit a detached accessory dwelling unit from being:
    - (i) larger in size than the single-family dwelling located on the same lot or parcel;
    - (ii) located within a public utility easement or other recorded easement;
    - (iii) located in a front-yard area of a lot or parcel; or
    - (iv) rented for less than 90 consecutive days;
  - (c) require that the owner of a lot or parcel where a detached accessory dwelling unit is located reside in the detached single-family dwelling or detached accessory dwelling unit located on the lot or parcel;
  - (d) require that when a detached garage is converted to a detached accessory dwelling unit, any parking spaces required for the single-family dwelling that were located within the detached garage are replaced on-site;
  - (e) prohibit more than one accessory dwelling unit on a lot or parcel; and
  - (f) prohibit a detached accessory dwelling unit if:
    - (i) the detached accessory dwelling unit will not have adequate access to a required utility service that is a project improvement, including sanitary sewer, culinary water, electrical, or storm water; or

- (ii) a utility service that is a system improvement, including sanitary sewer, culinary water, electrical, or storm water, to which the detached accessory dwelling unit is required to connect does not have sufficient capacity to support the addition of the detached accessory dwelling unit to the utility service system improvements.
- (5) This section does not supersede:
- (a) a land use regulation that regulates a detached accessory building that is not a detached accessory dwelling unit;
  - (b) prohibitions or restrictions on detached accessory dwelling units in a development agreement signed by a municipality on or before May 6, 2026; or
  - (c) a land use regulation or administrative action that:
    - (i) is not prohibited by law; and
    - (ii) relates to a detached accessory dwelling unit.

Enacted by Chapter 166, 2026 General Session